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001/002

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10,760

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Dobmeier, Thomas J.
Serial No.: 10/805,785
Filed: 03/22/2004
Group Art Unit: 3744
Examiner: Jones, Melvin
For: MONITORING REFRIGERANT CHARGE

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office Action mailed on November 5, 2004.

Applicant thanks the Examiner for the indication of allowed and allowable subject matter. Applicant respectfully requests reconsideration of the rejection under 35 U.S.C. §102. Applicant respectfully submits that the *Cowans* ("535) reference does not anticipate any of claims 7 or 11-14. That document does not disclose a controller that uses a temperature difference between a saturation condensing temperature and a liquid refrigerant temperature of sub-cooled refrigerant to determine an amount of refrigerant in a refrigerant system. At best, that document discloses an arrangement for detecting temperatures and controlling expansion valves to control temperature changes for cooling various tools. The portion of the description referenced by the Examiner in column 5 discusses temperature levels for individual tools, which are not the same as the

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temperatures recited in claim 7. In columns 7 and 8, for example, there is discussion of temperatures associated with a reference evaporator 82 and an evaporator 67, however, those are not the same as the saturation condensing temperature or liquid refrigerant temperature recited in claim 7.

Applicant has not found anything within the *Cowans* reference that would anticipate any of claims 7 or 11-14. Applicant respectfully submits that this case is in condition for allowance.

If the Examiner believes that a telephone conference will facilitate moving this case forward to being issued or if the Examiner would like to discuss the *Cowans* reference with Applicant's representative, Applicant's representative can be contacted at the telephone number indicated below.

Respectfully submitted,

CARLSON, GASKEY & OLDS

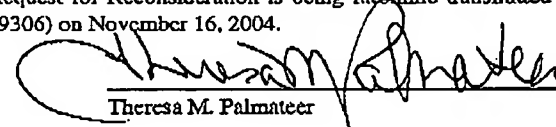
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Dated: November 16, 2004

CERTIFICATE OF FACSIMILE

I hereby certify that this Request for Reconsideration is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306) on November 16, 2004.


Theresa M. Palmateer

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